

Hearing Date: December 15, 2010
Objections Deadline: December 8, 2010

LAW OFFICES OF JEROME ZAMOS
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Attorneys for Real Party in Interest
PRUDENCE WALTZ

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In Re:	Case No. 08-13555 JMP
LEHMAN BROTHER'S HOLDING, INC., a Delaware Corporation	Chapter 11
Debtor	[jointly administered]

DECLARATION OF REAL PARTY IN INTEREST PRUDENCE WALTZ IN SUPPORT OF
MOTION FOR RELIEF FROM STAY AND AN ORDER DIRECTING THE
ABANDONMENT OF CLAIMS AGAINST THE REAL PROPERTY COMMONLY KNOWN
AS 844-846 WEST 57TH STREET, LOS ANGELES, CALIFORNIA

THE UNDERSIGNED PRUDENCE WALTZ declares that if called as a witness in these proceedings I would competently testify of my own knowledge as to each of the following facts:

1. In January and May of 2005 GREGORY HINES conveyed fee title to that certain real property located at and commonly known as 844 West 57th Street, Los Angeles, California 90037-3628 [which is hereinafter referred to as "THE SUBJECT PROPERTY"] which is more fully described as follows:

The North 113.25 feet of Lot 382 or Burck's Golden Tract, in the City of Los Angeles, County of Los Angeles as per map recorded in Book 10, Page 26 of Maps in the office of the County Records of said County.

2. I have never deeded my fee interest in THE SUBJECT PROPERTY to anyone or authorized any one acting on my behalf to do so.

3. I have never executed a grant deed [including the grant deed a copy of which is filed herein as Exhibit “S” and hereinafter referred to as “THE JANUARY 2006 GRANT DEED”] or any other instrument conveying my interest in THE SUBJECT PROPERTY to SAMANTHA HILL [hereinafter referred to as “HILL”, JANELLE BAIRD [hereinafter referred to as “BAIRD”], DEFENDANT AURORA LOAN SERVICES, LLC [hereinafter referred to as “AURORA”] or anyone else.

4. I have examined and reviewed a certified copy of THE JANUARY 2006 GRANT DEED [Exhibit “S”] which was recorded as instrument no. 06-0203073 in the official records of Los Angeles County, California on January 27, 2006 and the signature on the deed was not placed on or authorized to be placed on the instrument by me.

5. I did not participate, or authorize anyone acting on my behalf to participate in the transaction which led to the recordation of the deed of trust [a copy of which is filed herein as Exhibit “L” and is hereinafter referred to as “THE BAIRD DEED OF TRUST”] for the benefit of BNC MORTGAGE in August of 2006 or receive any funds as a result of its recordation.

6. I have never borrowed any funds from any entity related to or affiliated with LEHMAN BROTHERS’ HOLDING, Inc. and have never agreed to allow THE SUBJECT PROPERTY to be encumbered by any lien in connection with any loan transaction which involved either LEHMAN BROTHERS’ HOLDING, Inc. or any entity affiliated with it or named as a debtor in this case.

7. AURORA LOAN SERVICES, LLC, an affiliate of LEHMAN BROTHERS’ HOLDING, INC [the debtor in this Case] has claimed the right to title and possession of THE SUBJECT PROPERTY based upon its purchase of the property at a trustee’s sale conducted under the authority conferred in a deed of trust [a copy of which is filed herein as Exhibit “M”] and a trustee’s deed [a copy of which is filed herein as Exhibit “L”] following that sale.

8. I have been denied access to THE SUBJECT PROPERTY since the Spring of 2006 by the tenants who AURORA has allowed to remain in possession of the property rent free since assuming control over the property in June of 2007.

9. I filed THE FOURTH AMENDED COMPLAINT [a copy of which is filed herein as Exhibit "A"] in that certain action BC 374163 currently pending in THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES [hereinafter referred to as "THE PENDING STATE COURT ACTION"] in order to remove the cloud created against my title as a result of the recordation of the trustee's deed [Exhibit "L"] recorded by AURORA LOAN SERVICES, LLC and to regain title and possession of THE SUBJECT PROPERTY.

10. THE PENDING STATE COURT ACTION has, since October 26, 2010 been stayed as a result of a request made on behalf of LEHMAN BROTHERS' HOLDING, INC. [a copy of which is filed herein as Exhibit "E"].

Executed November 10, 2010 at Los Angeles, California.

Prudence Waltz
PRUDENCE WALTZ

State of California)
County of Los Angeles) ss

Sworn to or affirmed before me this 10th day of November 2010

Kat
Notary Public



State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 10
day of Nov, 2010, by Prudence M. Waltz,
proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

Kat

PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of LOS ANGELES, State of CALIFORNIA. I am over the age of 18 and not a party to the within action; my business address is 5228 Campo Road, Woodland Hills, California 91364-1927.

On November 15, 2010 I served the following document(s) described as DECLARATION OF REAL PARTY IN INTEREST PRUDENCE WALTZ IN SUPPORT OF MOTION FOR RELIEF FROM STAY AND AN ORDER DIRECTING THE ABANDONMENT OF CLAIMS AGAINST THE REAL PROPERTY COMMONLY KNOWN AS 844-846 WEST 57TH STREET, LOS ANGELES, CALIFORNIA on the interested parties by placing a true copy thereof enclosed in a sealed envelope with postage fully prepaid addressed to:

Lehman Brothers Holdings Inc.
745 Seventh Avenue
New York, NY 10019

Harvey R. Miller, E.sq.
Richard P. Krasnow, Esq.
Lori R. Fife, Esq.
Shai Y. Waisman, Esq.
Jacqueline Marcus, Esq.
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, New York 10153

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Office of the U.S. Trustee
33 Whitehall Street
21st. Floor
New York, NY 10004

Dennis F. Dunne
Milbank, Tweed, Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005

[Counsel for AURORA LOAN SERVICES]
GARRETT & TULLEY, P.C.
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STEPHANIE S. BANG, Esquire
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[COUNSEL FOR REAL PARTY LEHMAN BROTHER'S HOLDING,
INC.]
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HAFFER & ASSOCIATES
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San Diego, California 92101

BLUE OCEAN MORTGAGE, INC.
c/o MATTHEW P KAY
[its agent for service]
4347 McCONNELL
LOS ANGELES, CA 90066

JANELLE M. BAIRD
P.O. Box 1812
Hawaiian Gardens Ca, 90716

Samantha Hill
1201 N. Orange Grove Ave., #106
West Hollywood, CA 90046

MATTHEW P KAY
4347 McCONNELL
LOS ANGELES, CA 90066

LATOSHIA C. KELLER
4515 Don Ricardo Drive
Los Angeles, California 90008

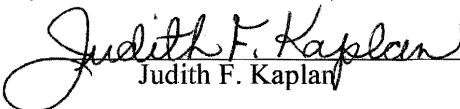
The Superior Court of The State of California
For the County of Los Angeles
Attention: The Hon. DEBRE K. WEINTRAUB
111 North Hill Street
Los Angeles, California 90012

I am "readily familiar" with the firms practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Woodland Hills, California. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in set forth in this affidavit.

I am employed in THE LAW OFFICES OF JEROME ZAMOS in Woodland Hills, California at whose direction service was made.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed November 15, 2010 at Woodland Hills, California.


Judith F. Kaplan